

(9) in the Second Schedule—

(a) after item "5. Under Secretary" the following item be inserted,
namely:—

"5A. Pay & Accounts Officer. Rs. 600-40-1000-1000-1050-1050-1050-1100-1100-1150 (IA & AS-Senior Scale). 600-40-1000-1000-1050-1050-1100-1100-1150 (IA & AS Senior Scale)"

(b) after item "6. Chief Research Officer" the following item be inserted,
namely:—

'6A. Chief Librarian. Rs. 600—40—1000 600—40—1000";

(c) in the second and third columns against item "21. Private Secretary to Deputy Speaker;" for the existing entries the following entries be substituted, namely:—

"275—25—500 275—25—500";

(d) after item "43. Translator" the following items be inserted, namely:—

"43A. Vartyper Operator.	Rs. 160—10—330	160—10—330
-----------------------------	----------------	------------

43B. Supervisor Rs. 160-10-300 160-10-300"
(Bindery)

(e) after item "52. Junior Watch & Ward Assistant" the following items be inserted, namely:—

"52A. Printer Rs. 90-5-120 90-5-120

52B. Foreman Rs. 75—5—105—5—120 75—5—105—5—120”;

(f) after item "61. Hindi Typist" the following item be inserted, namely:—

"61A. Compositor R9. 54-2-60-EB-5/2- 54-2-60-EB-5/2-75-
75-3-30 3-90";

(g) after item "64. Gestetner Operator" the following item be inserted,
namely:—

"64A. Binders (Skilled) Rs. 54-2-60-5/2-75 54-2-60-5/2-75";

(h) after item "65. Record Sorter", the following item be inserted, namely:—

"65A. Binders (Unskilled) Rs. 40-1-50-2-60 40-1-50-2-60";

(i) In the first column against item 68 for the word "Peon" the word "Messenger" be substituted;

(10) in the Third Schedule to the said Rules—

for the existing 'Explanation (ii)' the following shall be substituted, namely—

“(ii) Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these rules and such further orders as may be issued under the provisions of these rules from time to time”.

(11) in the Fourth Schedule to the said Rules—

for the existing entry against the item "Leave", the following entry shall be substituted, namely—

"The All India Services (Leave) Rules, 1955; provided that the Speaker may, in his discretion, relax the limit of 180 days upto which earned leave may be accumulated under sub-rule (2) of rule 10 of the said Rules in any case where he considers that such relaxation is necessary".

(12) in the Fourth Schedule to the said Rules—

for the existing 'Explanation', the following shall be substituted, namely —

"Explanation.—Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these rules and such further orders as may be issued under the provisions of these rules from time to time".

(13) in the Fifth Schedule to the said Rules—

for the existing 'Explanation' the following shall be substituted, namely:—

"Explanation.—Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these rules and such further orders as may be issued under the provisions of these rules from time to time";

(14) for the Sixth Schedule, the following shall be substituted, namely:—

"SIXTH SCHEDULE

(See rule 15)

1. (a) Without prejudice to the provisions of the Public Servants (Inquiries) Act, 1850 (87 of 1850) no order of dismissal, removal, compulsory retirement or reduction to a lower grade or post or to a lower time-scale or to a lower stage in a time-scale shall be passed on an officer (other than an order based on facts which had led to his conviction in a criminal court) unless he has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an opportunity of defending himself;

(b) the grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the officer charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on him.

(c) The Officer shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires or where the 'Punishing Authority' referred to in rule 14 directs, an oral inquiry shall be held. At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted, and the officer charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the person or persons conducting the inquiry may, for special and sufficient reasons to be recorded in writing, refuse to call a witness.

(d) The officer shall, for the purpose of preparing his defence, be permitted to inspect and take extracts from such official records as he may specify, provided that such permission may be refused if, for reasons to be recorded in writing, in the opinion of the Speaker or Secretary, as the case may be, such records are not relevant for the purpose or it is against the public interest to allow him access thereto.

(e) The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof.

(f) If the Punishing Authority having regard to the findings on the charges, is of the opinion that any of the penalties specified in clauses (iv) to (vii) of rule 13 shall be imposed, it shall furnish to the officer a summary of the findings and give him a notice stating the action proposed to be taken in regard to him and calling upon him to submit within a specified time such representation as he may wish to make against the proposed action.

(g) The Punishing Authority shall consider the representation, if any, made by the officer and pass appropriate orders on the case.

2. (a) An officer on whom it is proposed to impose a penalty specified in clauses (i), (ii) and (iii) of rule 13 shall be given an opportunity of making any representation that he may desire to make and such representation, if any, shall be taken into consideration before an order imposing any of the said penalties is passed.

(b) The record of proceedings shall contain a copy of intimation to the officer of the proposals to take action against him, statement of allegations, his representation, if any, and the orders on the case with grounds therefor".

[No. F. 35/8/AM/59.]

M. N. KAUL, Secy.

MINISTRY OF LAW

(Department of Legal Affairs)

New Delhi, the 1st May 1959

G.S.R. 536.—In exercise of the powers conferred by clause (a) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908. (5 of 1908), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Law No. SRO 3920 dated the 5th December, 1957, namely:—

In the Schedule to the said notification, under item 4, relating to Bombay, in the second column,

- (A) against part (b) in the first column, for the words 'Solicitor to the Central Government at Bombay', the words 'Shri G. M. Diwekar, Deputy Legal Adviser to the Government of India (performing the duties of the Solicitor to the Central Government at Bombay)', shall be substituted;
- (B) against part (d) in the first column the figure and words '(i) Solicitor to the Central Government at Bombay', and the figure '(ii)', shall be omitted.

[No. F. 51(2)/57-J.]

B. N. LOKUR, Jt. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 1st May 1959

G.S.R. 537.—The following draft of rules, which the Central Government proposes to make in exercise of the powers conferred by section 54 read with the proviso to sub-section (5) of section 32 of the Territorial Councils Act, 1956 (103 of 1956), is published as required by sub-section (1) of the said section 54 for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 7th June, 1959.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government and may be addressed to the Secretary to the Government of India in the Ministry of Home Affairs, New Delhi.

1. These rules may be called the Territorial Councils (Consultation with Union Public Service Commission) Rules, 1959.

2. In these rules,—

- (a) 'Commission' means the Union Public Service Commission;
- (b) 'Council' means a Territorial Council constituted under the Territorial Councils Act, 1956 (103 of 1956).

3. Appointments to posts, the minimum monthly salary (exclusive of allowances) of which is Rs. 300/- or more, may be made by the following methods:

- (i) by promotion in accordance with rule 5;
- (ii) by transfer or deputation from the Civil service of the Union or of a State in accordance with rule 6;
- (iii) by selection in accordance with rule 7.

4. (1) The method of recruitment to each such post under the Council shall be decided by the Council in consultation with the Commission.

(2) Where appointment to any such post is to be made by promotion, the Council shall, in consultation with the Commission, specify the posts, the holders

of which shall be eligible for promotion; the Council shall also decide in consultation with the Commission whether promotion shall be by seniority, subject to the rejection of the unfit or whether it shall be by selection according to merit.

5. Appointment by promotion.—(1) Where promotion is to be made by seniority, a list of officers eligible for promotion shall be compiled by the Council and arranged in order of seniority. Such list shall be forwarded to the Commission together with the reasons for the supersession of any officer, if the Council considers such supersession justified.

(2) The Commission shall, after considering the views of the Council and the record of service of officers, make such recommendation as the Commission may consider appropriate.

(3) Where promotion is to be made by selection, a Departmental Promotion Committee shall be constituted in consultation with the Commission consisting of the Chairman or other Member of the Commission, who shall be the Chairman of the Committee. The recommendations of the Departmental Promotion Committee shall be forwarded to the Commission who, after considering them, shall communicate its advice to the Council.

6. Recruitment by transfer or deputation.—Recruitment by transfer or deputation shall be made by the Council in consultation with the Commission and in accordance with such procedure as may be advised by the Commission.

7. Recruitment by Selection.—(1) Where it is proposed to make appointment to a post by selection, the Council shall send a requisition to the Secretary of the Commission in such form as may be prescribed by the Commission.

(2) The requisition shall contain full particulars of the posts, including information regarding the pay-scale; whether the post is permanent or temporary; if temporary, whether the post is likely to continue indefinitely or for a limited term; the lower and upper age limits; the period of probation, if any, the qualifications required; and the duties of the post.

(3) If the Commission considers that the qualifications and the age-limits are not appropriate, the Commission shall advise the Council as to the amendments to be made in regard to these matters.

(4) Ordinarily the Commission shall advertise the vacancies in such manner as the Commission may deem fit. The Commission may, however, in suitable cases, adopt such other method of contacting candidates for the posts as it may consider necessary or appropriate. A candidate for admission to the selection must apply before such date and in such form as may be prescribed by the Commission.

(5) A candidate must be—

- (i) a citizen of India, or
- (ii) a subject of Sikkim, or
- (iii) a person of Indian origin who has migrated from areas which now form Pakistan with the intention of permanently settling down in India, or
- (iv) a subject of Nepal or of a Portuguese possession in India or of the State of Pondicherry.

(6) The appointment of a candidate falling in category (iii) or (iv) of sub-rule (5) shall be subject to the issue of a certificate of eligibility in his favour by the Government of India. Certificates of eligibility shall not however be necessary in the case of candidates belonging to any of the following categories:—

- (i) Persons who migrated to India from Pakistan before 19th July, 1948 and have ordinarily been resident in India since then.
- (ii) Persons who migrated to India from Pakistan after 18th July, 1948, but before 30th September, 1948, and got themselves registered as citizens within the time allowed.

- (iii) Non-citizens who entered service under the Government of India before the commencement of the Constitution, viz. 26th January, 1950, and who have continued in such service since then. Any such persons who re-entered, or may re-enter such service with a break, after the 26th January, 1950, will, however, require certificates of eligibility in the usual way:

Provided that a candidate in whose case a certificate of eligibility is necessary may nevertheless be interviewed and also provisionally appointed, subject to the necessary certificate being eventually issued in his favour by the Government of India.

- (7) A candidate shall fulfil the age-limits prescribed:

Provided that—

- (a) the upper age limit prescribed shall be relaxable up to a maximum of five years if a candidate belongs to a Scheduled Caste or a Scheduled Tribe;
- (b) candidates who are *bona fide* displaced persons from Pakistan shall be allowed the age concessions, if any, which the Government of India may sanction from time to time;
- (c) the Commission may relax the age limits up to three years in exceptional circumstances

- (8) A candidate must possess such qualifications as may be prescribed.

- (9) A candidate must satisfy the Commission and the appointing authority that his character and antecedents are such as to make him suitable for appointment under the Council.

- (10) The decision of the Commission on the question whether a candidate does, or does not, satisfy the requirements of sub-rule (5), (6), (7), (8), or (9) shall be final.

- (11) The Commission may in exceptional circumstances, relax all or any of the requirements of sub-rules (5) to (8) if the Commission considers it to be in the public interest to do so.

- (12) A candidate must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties as an officer of the Council. A candidate who (after such physical examination as the Council may prescribe) is found not to satisfy those requirements shall not be appointed.

- (13) A candidate must, at the time of application, pay such fee as the Commission may from time to time prescribe and candidates must submit such proofs of their age and qualifications as the Commission may require.

- (14) The particulars of all the candidates together with the comments of the Commission as respects those who are considered by the Commission suitable for being called for interview shall be sent to the Council for comments, if any. The comments of the Council shall be taken into consideration in finalising the preliminary selection of the candidates for interview. The Commission shall invite the Council to send a representative to sit on the Selection Board, should the Commission decide to do so.

- (15) The recommendations of the Commission shall be sent to the Council who shall intimate to the Commission the result thereof.

- (16) In case of any difference of opinion between the Council and the Commission, the Council shall take steps to send a communication to the Commission setting out the points on which the Council differs from the recommendations of the Commission and the grounds on which such difference is based. These shall be considered by the Commission and their advice communicated to the Council. In case difference of opinion still persists, the matter shall be referred by the Council to the Government of India for decision and the decision of that Government thereon shall be final.

[No. 26/38/57-SR(R).]

A. V. VENKATASUBBAN, Dy. Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

PUBLIC DEBT RULES, 1946

New Delhi, the 27th April 1959

G.S.R. 538.—The following draft of an amendment to the Public Debt Rules, 1946, which the Central Government propose to make in exercise of the powers conferred by section 28 of the Public Debt Act, 1944 (18 of 1944), and in supersession of the notification of the Govt. of India in the Ministry of Finance (Department of Economic Affairs) No. F-12(33)-NS/57, dated the 1st November, 1958 is hereby published as required by sub-section (1) of that section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 3rd June, 1959.

2. Any objection or suggestion received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

In the said rules,

(1) In rule 2 after clause (9), the following clauses shall be inserted, namely:—

“(10) “scheduled bank” means a bank for the time being included in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934); and

(11) “co-operative society” means a society registered or deemed to have been registered under the Co-operative Societies Act, 1912 (2 of 1912) or under any other law for the time being in force relating to co-operative societies and includes a cooperative bank so registered”.

(2) After rule 8A, the following rule shall be inserted as rule 8B, namely:—

“Purchase of Treasury Savings Deposit Certificates through Scheduled Banks, co-operative banks and co-operative societies.—(i) Where an application for investment in Treasury Savings Deposit Certificates has been signed by a scheduled bank or a co-operative society purporting to do so on behalf of another person, the Public Debt Office may, if so requested by such bank or society, indicate on the face of the certificate, in addition to the name of the person on whose behalf the application purports to have been made, the name of the bank or society making the application.

(ii) Where a Treasury Savings Deposit Certificate has been issued in the manner indicated in sub-rule (i), the bank or society whose name appears on the Treasury Savings Deposit Certificate as being the duly constituted agent of the person on whose behalf the application is purported to have been made for all purposes connected with such certificate and, in particular, as having been authorised by such person to receive all payments and give affective discharge on his behalf”.

[No. F. 12(33)-NS/57(1).]

R. SARAN, Under Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 9th May 1959

G.S.R. 539.—The following draft of a further amendment in the Customs Duties Drawback (Fixed Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, is published as required by sub-section (3) of the said section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 12th June, 1959:

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the first Schedule to the said Rules, for the existing item 2 and the entries relating thereto, the following shall be substituted, namely:—

"2. Galvanised iron wire gauge, mesh, netting, and chair link fencing, if made of galvanised iron wire, falling under item 63(25) of the First Schedule to the Indian Tariff Act, 1934 (32 of 1934), which is :—

- | | |
|---|--|
| (a) finer than 16 S.W.G. but not finer than 22 S.W.G. | Rupees two hundred and thirty six per ton. |
| (b) finer than 22 S.W.G. but not finer than 27 S.W.G. | Rupees two hundred and eighty four per ton. |
| (c) finer than 27 S.W.G. but not finer than 30 S.W.G. | Rupees three hundred and thirty-two per ton. |
| (d) finer than 30 S.W.G. | Rupees four hundred and twenty one per ton." |

[No. 92/F. No. 34/185/58-Cus.IV.]

G.S.R. 540.—In exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Customs Duties Drawback (Fixed Rates) Rules, 1958, the same having been previously published as required under the said sub-section (3), namely:—

Amendment

In the First Schedule to the said Rules for the existing item 13 and the entries relating thereto, the following shall be substituted, namely:—

"13. ply-wood (including ply-wood panels for tea chests, cut to size and shipped in CKD condition)—

- | | |
|------------------------|---|
| (i) 3-ply | Ninety-seven naye paise per one hundred square feet. |
| (ii) 4-ply | One rupee and forty-six naye paise per one hundred square feet. |
| (iii) 5-ply | One rupee and ninety-five naye paise per one hundred square feet. |
| (iv) 6-Ply | Two rupees and forty-three naye paise per one hundred square feet. |
| (v) 7-ply | Two rupees and ninety-two naye paise per one hundred square feet. |
| (vi) 9-ply | Three rupees and ninety naye paise per one hundred square feet. |
| (vii) 11-ply | Four rupees and eighty-seven naye paise per one hundred square feet." |

[No. 93/F. No. 34/80/58-Cus.IV.]

(Department of Revenue)

CUSTOMS AND CENTRAL EXCISE

New Delhi, the 9th May 1959

G.S.R. 541.—The following draft of a further amendment to the Customs and Central Excise Duties Refund (Brand Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the

Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected hereby; and notice is hereby given that the said draft will be taken into consideration on or after the 12th June, 1959.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules, in the First Schedule after item 22 and the entry relating thereto, the following shall be inserted, namely:—

"23 Cement tiles."

[No. 31/F. No. 34/79/59-Cus.IV.]

G.S.R. 542.—The following draft of a further amendment to the Customs and Central Excise Duties Refund (Brand Rates) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 12th June, 1959.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

In the said rules, in the First Schedule after item 21 and the entry relating thereto, the following shall be inserted, namely:—

"22. Air conditioners."

[No. 33/F. No. 34/43/58-Cus.IV.]

(Department of Revenue)

CORRIGENDUM

CUSTOMS AND CENTRAL EXCISES

New Delhi, the 9th May 1959

G.S.R. 543.—In paragraph 1 of the amendments to the Customs and Central Excise Duties Refund (Fixed Rates) Rules, 1958, published with the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. G.S.R. 142 dated the 7th February, 1959, under "8, Steel Products" after item 33 and entries relating thereto, insert the following items and entries:—

"34. Rice mill machinery and parts thereof Rupees fifty per ton of steel content.

35. Rolling shutters Rupees fifty per ton of steel content."

[No. 32/F. No. 34/68/59-Cus.IV.]

M. A. RANGASWAMY, Dy. Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 9th May 1959

G.S.R. 544.—In exercise of the powers conferred by rule 12-A of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 62/58-Central Excises, dated the 21st June 1958, namely:—

In the Table annexed to the said notification, for the entries in columns 3 and 4 against Serial No. 2, the following entries shall respectively be substituted, namely:—

"Ribbons, inked or uninked, used on typewriters or other similar office equipment machines.

Rs. 0.41 per square yard of such ribbons exported.

[No. 51/59.]

G.S.R. 545.—In exercise of the powers conferred by sections 12 and 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Central Excise Rules, 1944, namely—

In rule 191-B of the said Rules, for the words “place of manufacture” in sub-rule (4), the words “place of production or manufacture or storage” shall be substituted.

[No. 52/59.]

G.S.R. 546.—In exercise of the powers conferred by rule 191-B of the Central Excise Rules, 1944, as in force in India and as applied to the State of Pondicherry and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 129/58-Central Excises dated the 27th December, 1958, the Central Government hereby permits, for the purpose of export outside India or the State of Pondicherry, the manufacture in bond of the articles specified in column 2 of the Table hereto annexed, from the excisable goods specified in column 3 thereof, subject to the following conditions, namely:—

(1) The manufacture of such articles shall apply for registration in such form as the Collector may prescribe, stating in particular—

- (a) the description of each of the excisable goods which is to be used in connection with the manufacture in bond;
- (b) every process of manufacture in bond desired to be carried on, and
- (c) the description of the premises to be used for manufacture of such articles.

(2) The Collector may register the applicant as a manufacturer for the purpose of rule 191-B of the Central Excise Rules, 1944 and grant him a certificate of registration subject to such conditions as he thinks fit to impose, and every such certificate of registration shall specify—

- (a) the description of the excisable goods and the articles to be manufactured therefrom;
- (b) the formula of manufacture of the articles stating the quantity of each of the excisable goods per unit of each such article,
- (c) the conditions under which any operation of manufacture in bond may be carried on, and
- (d) the registration number allotted to the manufacturer.

(3) The manufacturer shall, immediately any change is made in the particulars required under condition 2(b), intimate the change to the Collector.

(4) The manufacturer shall enter into a bond, in the form hereto annexed, with the Collector to the extent of twice the amount of excise duty payable on the non-duty-paid excisable goods required by him during any month for manufacture of such articles and on the articles proposed to be so manufactured during that month.

(5) The manufacturer shall apply to the officer of Central Excise as may be authorised by the Collector, hereinafter referred to as the proper officer, in writing every time he desires to obtain excisable goods required for the manufacture of such articles from the place of manufacture or production or storage of such excisable goods and the provisions relating to the movement of excisable goods from one warehouse to another prescribed in the Central Excise Rules, 1944, shall apply in so far as they are applicable.

(6) The excisable goods, on receipt at the factory of the manufacturer, shall be kept in a separate room or rooms in such manner as the Collector may direct.

(7) In the case of Tobacco, there shall be maintained an operation card for each lot of unmanufactured tobacco received under A.R. 3 for manufacture of Cigars and Cheroots, with the following particulars:—

- (i) Date of commencement of operation.
- (ii) Formula of manufacture.
- (iii) No. and date of A.R. 3.
- (iv) Quantity of unmanufactured tobacco.
- (v) Quantity of imported tobacco used, if any.
- (vi) Quantity of waste tobacco arising out of operation.
- (vii) Number of Cigars and Cheroots manufactured and their total weight.
- (viii) Date of completion of operation.

(8) Clearance *ex bond* shall be allowed free of duty provided the articles are exported, within three years of the date of the oldest consignment of excisable goods received by the manufacturer for manufacture of such articles, to any country or territory outside India or the State of Pondicherry other than a country or territory with a common land frontier with India which has been declared to be a foreign territory under section 5 of the Indian Tariff Act, 1934 (32 of 1934), except Pakistan and Burma, or shipped as provisions or stores for use on board a ship to a foreign port; and the packages containing all such articles shall be marked conspicuously with the words "FOR EXPORT EX-BOND".

(9) Any waste arising from the process of manufacture in bond shall be cleared from bond on payment of duty unless it is shown to the satisfaction of the Collector that such waste has arisen solely from imported materials or, at the request of the manufacturer, if found unfit for further use or not worth the duty payable thereon, shall be destroyed in the presence of the proper officer, the duty payable thereon being remitted. The Collector may, subject to an account being maintained to his satisfaction, allow any waste material to be used again for manufacture in bond.

(10) The Collector may at his discretion permit in each individual case clearance of any or all such articles for home consumption, on payment of the excise duty leviable both on such articles and on the excisable goods used in the manufacture thereof in the same manner as excisable goods intended for home consumption are cleared from the place of their production or manufacture.

(11) The Collector may require the manufacturer—

- (a) to make such alterations or arrangements in the manufacturing premises as may be necessary
- (b) to provide such offices (including furniture and fittings) as may be required by him for his staff;
- (c) to pay on demand all duties in respect of the excisable articles and goods not accounted for to the satisfaction of the Collector and to pay promptly all penalties incurred for any violation of the prescribed provisions.
- (d) to pay the emoluments including allowances at the prescribed rates of such establishment as may from time to time be appointed by the Collector for the supervision of the process of manufacture in bond;
- (e) specify the date or days on which, and the hours between which, the manufacture in bond may be carried on;
- (f) specify the conditions subject to and the manner in which, the articles may be cleared for home consumption or export;
- (g) require any person, who has been concerned at any stage with the manufacture, sale and transfer of the articles under export to produce books or accounts and other documents of whatever nature relating to the quantity of non-duty-paid excisable goods employed in the manufacture of such articles; and

- (h) require the maintenance of records and registers and making such returns relating to the manufacture in bond as he thinks fit.

TABLE

Serial Number	Articles for manufacture in bond	Excisable goods for manufacture of articles specified in column 2
1	2	3
1	Cigars and Cheroots	Unmanufactured Tobacco.
2	(1) Umbrellas (2) Ready made apparel. (3) Tents. (4) Cotton bags (5) Chaddars (6) Pillow-cases (7) Table covers (8) Embroideries (9) Laces (10) Tarpaulins (11) Mosquito nets (12) Ground-sheets (13) Cotton sola hats (14) Cotton flannel Motor Car dusters (15) Cotton quilts (16) Cotton scarves (17) Cotton Tapes (18) Waterproof canvas.	Cotton Fabrics.

Bond (with security) to be entered into by the manufacturer of articles from non-duty-paid excisable goods under rule 191-B of the Central Excise Rules, 1944.

[MINISTRY OF FINANCE (DEPARTMENT OF REVENUE)]

Notification No. 53/59-Central Excises, dated the 9th May 1959/ 19th Vaisakha 1881.

(Delete the letters and words not applicable)

I/We of (hereinafter called the obligor(s)) am/are jointly and severally bound to the President of India (hereinafter referred to as the Government) in the sum of rupees to be paid to the Government for which payment I/We jointly and severally bind myself/ourselves and my/our legal representatives.

Whereas the above bounden obligors have applied to the Collector of Central Excise at (hereinafter called the Collector) for, and obtained his permission vide Registration Certificate No. dated to manufacture the following articles, for export outside India, and to receive from time to time, for the manufacture of the said articles, the excisable goods indicated against each such articles, in quantities as may be required by the obligor(s) but

not exceeding the limits specified hereunder, without payment of duty, from the factories where such excisable goods are manufactured—

Description of the articles	Excisable goods required for manufacture in a month	
	Description	Quantity not exceeding the following limit

And whereas the Collector has required the obligor(s) to deposit as guarantee for the amount of this bond the sum of rupees in cash the securities hereinafter mentioned of a total face value of rupees endorsed in favour of the Collector, Deputy Collector, or Assistant Collector of Central Excise at namely—

And whereas the obligor(s) has/have furnished such guarantee by depositing with the Collector, Deputy Collector or the Assistant Collector of Central Excise the cash/securities as afore-mentioned.

Now the condition of this bond is that if the said obligor(s) shall provide a bonded factory for the manufacture of the said articles to the satisfaction of the Collector;

And, if the obligor(s) shall not make any change in the nature or manner of manufacture specified in his/their application or use the said excisable goods for any purpose other than that stated in the application without the prior approval of the Collector;

And, if the obligor(s) shall observe all the provisions of the Central Excise Rules, 1944, and all amendments therein issued from time to time, so far as they relate to the use of the excisable goods without payment of duty in the manufacture of such articles, and for removal of such articles for export;

And, if all dues, whether excise duty, or other lawful charges, which shall be demandable on the said articles and goods as shown by the records of the proper officer, be duly paid into the treasury to the account of the Collector within ten days of the date of demand thereof being made in writing by the said officer;

This obligation shall be void.

Otherwise and on breach or failure in the performance of any part of this condition, the same shall be in full force. And, the Government shall, at its option, be competent to make good all the loss and damages either from the amount of the guarantee deposit or by enforcing its rights under the above written bond or by both.

I/We declare that this bond is given under the orders of the Central Government for the performance of an act in which the public are interested.

Place

Date

Witnesses (1) Address
(2) Address

(1) Occupation (1)
(2) Occupation (2)

Accepted by me this

day of

19

..... of Central Excise

(for and on behalf of the President of India).

[No. 53/50]

S. K. BHATTACHARJEE, Dy. Secy.

MINISTRY OF COMMERCE & INDUSTRY
(Department of Company Law Administration)

New Delhi, the 29th April 1959

G.S.R. 547.—In exercise of the powers conferred by the proviso to sub-section (1) of section 594 of the Companies Act, 1956 (1 of 1956), (hereinafter referred to as the Act), and in partial modification of the notification of the Government of India in the Ministry of Finance (Department of Company Law Administration) No. S.R.O. 3216 dated the 4th October, 1957, the Central Government hereby directs that, in the case of the foreign company, namely W. T. Henley's Telegraph Works Company Limited (hereinafter referred to as the Company), the requirements of clause (a) of sub-section (1) of the said section, shall apply subject to the following exception and modification, namely:—

It shall be deemed to be sufficient compliance with the provisions of clause (a) of sub-section (1) of section 594 of the Act if the balance sheet and profit and loss account, prepared in terms of clause (1) of this Department's notification No. S.R.O. 3216, dated the 4th October, 1957, in respect of the company's financial years ending on or before the 31st day of December, 1959, are audited by the auditors of the company in the country of its incorporation.

[No. F. 15/12/58-PR.]

**THE COMPANIES (CENTRAL GOVERNMENT'S) GENERAL RULES
AND FORMS, 1956.**

G.S.R. 548.—In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) of section 642 of the Companies Act, 1956 (1 of 1956) the Central Government hereby makes the following further amendments in the Companies (Central Government's) General Rules and Forms, 1956, namely:—

In the Annexure to the said Rules, in Form No. 25—

(1) in item 3, after clause (iii), the following clause shall be inserted, namely:—

“(iiia) particulars of the arrangement, if any, entered into by the managing agent/secretaries and treasurers with others for sharing his/their remuneration, with detailed reasons therefor;”

(2) in item 4, after clause (iii), the following clause shall be inserted, namely:—

“(iiia) particulars of the arrangement, if any, entered into or proposed to be entered into by the managing agent/secretaries and treasurers with others for sharing his/their remuneration, with detailed reasons therefor;”.

[No. F. 3/4/59-PR.]

T. S. MENON, Under Secy.

COFFEE CONTROL

New Delhi, the 30th April 1959

G.S.R. 549.—In exercise of the powers conferred by section 48 of the Coffee Act, 1942 (7 of 1942), the Central Government hereby makes the following further amendment in the Coffee Rules, 1955, published with the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 1666 dated the 1st August, 1955, namely:—

In the said rules, for rule 20, the following rule shall be substituted, namely:—

“20. **Quorum.**—(1) No business shall be transacted at a meeting of a Committee unless there are present half the number of members constituting the Committee including the Chairman, if present or the next lower whole number where the Committee consists of an odd number of members including the Chairman.

(2) If at any meeting the number of members present is less than the required quorum, the person presiding shall adjourn the meeting to a date not later than 3 days from the date of the meeting, naming the members of the Committee of the date, time and place of the adjourned meeting; and it shall thereupon be lawful to dispose of at such adjourned meeting the business intended to be transacted at the original meeting, irrespective of the number of members of the Committee present.”

[No. F. 2(4) Plant(B)/53.]

A. J. KIDWAI, Dy. Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 28th April 1959

G.S.R. 550.—In pursuance of sub-clause (b) of clause 2 of the Fertilizer (Control) Order, 1957, the Central Government hereby empowers the Director of Agriculture and Food Commissioner, Rajasthan, Jaipur, also to exercise the functions of the Controller under clauses 4 and 21 of the said Order, in the State of Rajasthan.

[No. 16-7/59-M.]

K. C. CHETTY, Dy. Secy.

(Department of Food)

ORDER

New Delhi, the 29th April 1959

G.S.R. 551/Ess.Com/Press-mud.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. Short title, extent and commencement.—(1) This Order may be called the Sugarcane Press-mud (Control) Order, 1959.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context otherwise requires,—

(a) "factory" means any premises including the precincts thereof in any part of which sugar is manufactured by the vacuum pan and sulphitation process;

(b) "producer of sugar" means a person carrying on the business of manufacturing sugar by the vacuum pan and sulphitation process;

(c) "press-mud" means the residual mud left over after filtering sugarcane juice in the course of manufacture of sugar by the vacuum pan and sulphitation process.

3. Sale of press-mud.—(1) No producer of sugar shall sell press-mud except to a purchaser who furnishes to him a certificate in writing that he will sell or use the press-mud purchased by him only as manure.

(2) If a producer of sugar is unable to sell his press-mud during the sugarcane crushing season in accordance with sub-clause (1), he may sell the press-mud without the said certificate but after obtaining a permit under clause 4

4 Permitting authority.—A permit for the sale of press-mud referred to in sub-clause (2) of clause 3 shall be issued by the Chief Director (Sugar), Directorate of Sugar and Vanaspathi, Ministry of Food and Agriculture, New Delhi, or any other officer authorised in this behalf by the Central Government on application made to him in this behalf. The Chief Director or other officer may, before issuing a permit, make such enquiry as he may consider necessary.

5. Production of documents for inspection.—Every producer of sugar shall produce, for inspection on demand by any officer authorised by the Central Government in that behalf, all or any records or accounts of production and sale of press-mud and certificate or certificates obtained from purchasers in respect of the press-mud sold.

[No. 15-1/59-SV.]

M. LAL, Jt. Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS**(Department of Communications and Civil Aviation)****(Posts and Telegraphs)***New Delhi, the 27th April 1959*

G.S.R. 552.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following further amendments in the Indian Telegraph Rules, 1951, namely:—

In clause (a) of rule 139 of the said rules,—

- (1) for the figures "75", the figures "100" shall be substituted, and
- (2) the following words shall be added at the end, "The number of messages shall be restricted to four per correspondent per day".

[No. 75-14/58/T-2.]

New Delhi, the 30th April 1959

G.S.R. 553.—In exercise of the powers conferred by section 10 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby directs that, with effect from 1st June, 1959, the following further amendment shall be made in the Indian Post Office Rules, 1933, namely:—

In the said rules, after rule 5, the following rule shall be inserted, namely:—

"5-A The rate of postage on bulk bag of printed matter will be—

- (a) thirty naye paise per pound or fraction thereof, on the gross weight of the bag when the bag contains registered newspapers only, and
- (b) fiftyfive naye paise per pound or fraction thereof, on the gross weight of the bag when the contents of the bag include printed matter other than registered newspapers also."

[No. 1-8/59-R.]

B. G. DESHMUKH, Under Secy.

(Departments of Communications and Civil Aviation)*New Delhi, the 4th May 1959*

G.S.R. 554.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules, namely:—

1. **Short title and application.**—(1) These Rules may be called the Overseas Communications Service (Assistant Administrative Officer) Recruitment Rules, 1959.

(2) They shall apply to the recruitment to the post specified in column 1 of the Schedule to these Rules.

2. **Classification and scale of pay.**—The classification of the said post and the scale of pay attached thereto shall be as specified in columns 3 and 4 of the said Schedule.

3. **Method of recruitment, age-limit and other qualifications.**—The method of recruitment, age-limit and other qualifications for recruitment, to the said post and other matters connected therewith shall be as specified in columns 5 to 13 of the Schedule aforesaid.

Recruitment Rules for the Post of Assistant Administrative Officer in Overseas

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or direct non-selection post	Age limit for recruits	Educational and other qualifications required.
1	2	3	4	5	6	7
Assistant Administrative Officer.	One	G.C.S. Class II Gazetted Non-Ministerial	Rs. 500— 30—650— EB—30— 800.	Selection	Between 35 & 45 years.	<p><i>For Direct Recruits.</i></p> <p>(a) Degree of a recognised University.</p> <p>(b) At least 5 years' experience in a responsible capacity in a Government Department.</p> <p>(c) Thorough knowledge of Government rules and regulations with ability to interpret them correctly and a competent grasp of establishment and administrative matters.</p>

NOTES.—(1) The upper age-limit prescribed for direct recruitment will be relaxable in the case the general orders issued from time to time by the Government of India.

(2) (a) No male candidate who has more than one wife living shall be eligible for appointment grounds for doing so, exempt any such male candidate from the operation of this rule.

(b) No female candidate who has married a person having already a wife living if it is satisfied that there are special grounds for doing so, exempt any

Communications Service. Ministry of Transport & Communications

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotions	Period of probation if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer, grades from which promotion to be made	If a D.P.C. exists what is its composition.	Circumstances in which U.P. S.C. is to be consulted in making rectt.
--	----------------------------	---	---	---	--

8	9	10	11	12	13
No.	Six months.	By promotion failing which by direct recruitment.	<i>Promotion :—</i> (i) *Office Supdt. Head Office. (ii) *Office Supdts. of out-stations. (iii) *Asstt. Supdr. Head Office with at least 5 years experience in any of these posts.	Class II D.P.C.,	As required under the rules

of Scheduled Castes/Tribes, Displaced persons and other special categories in accordance with
ment to the post : Provided that the Government of India may, if satisfied that there are special
shall be eligible for appointment to the post : Provided that the Government of India may
such female candidate from the operation of this rule.

P. N. ANAND, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 30th April 1959

G.S.R. 555.—The following draft of further amendments to the Prevention of Food Adulteration Rules, 1955, which the Central Government after consultation with the Central Committee for Food Standards proposes to make in exercise of the powers conferred by sub-section (2) of section 4 and sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954) is hereby published as required by sub-section (1) of the said section 23, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 15th June, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified shall be considered by the Central Government.

Draft Amendments

In the said rules—

1. in rule 2, after clause (d) the following clause shall be added, namely:—

“(e) ‘Person’ means the owner of an article of food and includes the servant or agent who sells such an article on behalf of the owner.”;

2. in rule 20, for the words ‘one drop’ the words ‘two drops’ shall be substituted;

3. in rule 26, for the words “The following natural” the words and comma “Except as otherwise provided in these rules, the following natural” shall be substituted;

4. in the table under rule 28 in group “1 Red” after “Fast Red E” and entries relating thereto, the following entries shall respectively be inserted, namely:—

Common name	Colour index	Chemical class
Amaranth	184	Azo
Erythrozine	773	Xanthene”;

5. In the Explanation to rule 32, after the words “the container” the following shall be inserted; namely:—

“cover, lid and/or crown cork”;

6. In rule 44, the words “either by himself or by any servant or agent” shall be omitted;

7. in clauses (ii)(b) and (iii)(b) of rule 48-A, after the words “commercial name” the words “and colour index” shall be inserted.

8. in rule 49, for clause (iv) of sub-rule (5) the following clause shall be substituted, namely:

“(iv) Containers made of aluminium not conforming in chemical composition to IS:20—1953 specification for cast aluminium for utensils and IS:21—1953 specification for wrought aluminium for utensils.”;

9. in rule 50—

(i) the words “Vegetable oil products or” occurring in clause (k) of sub-rule (1) shall be omitted;

(ii) the following clause shall be inserted after clause (k) of sub-rule (1), namely:—

“(1) Sago”;

(iii) the words “or local authority” occurring in sub-rule (2) and sub-rule (3) shall be omitted;

10. after rule 63, the following rule shall be added, namely:—

“64. Use of carbitol as a solvent in flavours prohibited:

Carbitol shall not be used as a solvent in flavours.”;

11. in Appendix ‘B’—

(i) in item A.01.01, after the words “citric acid” the words “and/or phosphoric acid” shall be inserted, and the words “phosphoric acid or” shall be omitted;

(ii) in item A.03.02, after the words “extraneous matter” the words “including natural colours” shall be added;

(iii) in item A.11.05, the following shall be added at the end, namely:—

“Diacetyl may be added for flavour but shall not exceed 4 parts per million.”;

(iv) in item A.17.09, after clause (e) the following clause shall be added, namely:—

“(f) Belliers Test (Turbidity temperature—Acetic acid method) Not more than 16°C.

(v) in item A.17.11, after clause (e) the following clause shall be added, namely:—

“(f) Belliers Test (Turbidity temperature—Acetic acid method)Not more than 22°C.”

(vi) after item A.18.01, the following item shall be inserted, namely:—

“A.18.01.01. Fortified atta means the product obtained by adding calcium carbonate powder to atta in such amount that 100 parts by weight of fortified atta shall contain not less than 0.30 and not more than 0.35 parts by weight of calcium carbonate.”;

(vii) after item A.18.02, the following item shall be inserted, namely:—

“A.18.02.01. Fortified maida means the product obtained by adding calcium carbonate powder to maida in such amount that 100 parts by weight of fortified maida shall contain not less than 0.30 and not more than 0.35 parts by weight of calcium carbonate.”;

(viii) after item A.19 the following item shall be inserted, namely:—

“A.19.01. Bakery Shortening means vanaspati conforming to standards prescribed in item A.19 except that—

(a) the melting point as determined by the capillary slip method shall not exceed 41°C;

(b) if aerated, only nitrogen air or any other inert gas shall be used for the purpose and the quantity of such gas incorporated in the product shall not exceed 12 per cent by volume thereof.”;

(ix) in item A.20, the last paragraph relating to “synthetic vinegar” shall be omitted;

(x) after item A 20, the following item shall be inserted, namely:—

“A.20.01. Synthetic vinegar means the product prepared from acetic acid. It shall contain not less than 3.75 grammes of acetic acid per 100 ml.

It shall not contain—

(a) sulphuric or any other mineral acid,

(b) lead or copper,

(c) arsenic in amounts exceeding 1.5 parts per million,

(d) any colouring matter except caramel,

Synthetic vinegar shall be distinctly labelled as “SYNTHETIC—PREPARED FROM ACETIC ACID”.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 30th April 1959

G.S.R. 556.—The following draft of certain amendments to the Industrial disputes (Central) Rules, 1957, which the Central Government proposes to make in exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (14 of 1947), is published as required by sub-section (1) of the said section for information of persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 10th June, 1959.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft amendment

In the said rules—

(a) in rule 3, for the words 'in triplicate to the Secretary to the Government of India in the Ministry of Labour', the following shall be substituted, namely:—

'to the Secretary to the Government of India in the Ministry of Labour and Employment (in triplicate), the Chief Labour Commissioner (Central), New Delhi, and the Regional Labour Commissioner (Central), and the Conciliation Officer (Central) concerned';

(b) at the end of Form 'A', the following shall be inserted, namely:—

'Copy to:—

- (i) The Conciliation Officer (Central), (here enter office address of the Conciliation Officer in the Local area concerned).
- (ii) The Regional Labour Commissioner (Central).
- (iii) The Chief Labour Commissioner (Central), New Delhi'.

[No. L.R. I-1(30)/59]

G.S.R. 557.—In exercise of the powers conferred by section 15, read with clause (b) of section 2, of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), the Central Government hereby makes the following further amendment to the Industrial Employment (Standing Orders) Central Rules, 1946, the same having been previously published as required by sub-section (1) of the said section 15, namely:—

In the said rules, in Schedule I, for the existing Model Standing Order No. 7, the following Model Standing Order shall be substituted, namely:—

"7. *Shift working.*—More than one shift may be worked in a department or departments or any section of a department of the establishment at the discretion of the employer. If more than one shift is worked, the workmen shall be liable to be transferred from one shift to another. No shift working shall be discontinued without two months' notice being given in writing to the workmen prior to such discontinuance, provided that no such notice shall be necessary if the closing of the shift is under an agreement with the workmen affected. If as a result of the discontinuance of the shift working, any workmen are to be retrenched, such retrenchment shall be effected in accordance with the provisions of the Industrial Disputes Act, 1947 (14 of 1947), and the rules made thereunder. If shift working is restarted, the workmen shall be given notice and re-employed in accordance with the provisions of the said Act and the said rules."

[No. LRI-21(11)/58-SOR.Am.II]

A. L. HANDA, Under Secy.

The Gazette of India



PUBLISHED BY AUTHORITY

No. 20 | NEW DELHI, SATURDAY, MAY 16, 1959/VAISAKHIA 26, 1881

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 6th May 1959:—

Issue No.	No. and date	Issued by	Subject
61	G.S.R. 531, dated 2nd May, 1959.	Ministry of Food & Agriculture.	Rescinding the Delhi Wheat (Export Control), Order, 1959.
	G.S.R. 532, dated 2nd May, 1959.	Do.	The Wheat (Uttar Pradesh) Price Control Order, 1959.
62	G.S.R. 533, dated 5th May, 1959.	Do.	Amendment in the Wheat (Regulation of use in Roller Mills) Order, 1958.
	G.S.R. 534, dated 5th May, 1959.	Do.	Amendment in the Punjab Roller Mills (Regulation of use of Wheat) Order, 1959.
63	G.S.R. 558, dated 6th May, 1959.	Do.	The Wheat (Uttar Pradesh) Second Price Control Order, 1959.
	G.S.R. 559, dated 6th May, 1959.	Do.	The Uttar Pradesh Wheat (Restriction on Movement) Order, 1959.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 11th May 1959

G.S.R. 561.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following Rules, namely.

THE CENTRAL PASSPORT AND EMIGRATION ORGANISATION (INITIAL CONSTITUTION AND MAINTENANCE) RULES, 1959.

CHAPTER I*Preliminary*

1. Title.—These Rules may be called the Central Passport and Emigration Organisation (INITIAL CONSTITUTION AND MAINTENANCE) Rules, 1959. They shall come into force with effect from the 1st of January, 1959.

2. **Application.**—These rules shall apply to all Government servants who were borne on the establishment of either a Regional Passport Office or an Emigration Office in India on 1st January 1959 and to all those who may hereinafter be appointed in accordance with these rules to the Central Passport and Emigration Organisation (hereafter referred to in abbreviated form as C.P.E.O.) which has been formed with effect from 1st January, 1959, after amalgamation of the Central Passport Organisation and the Emigration Organisation.

CHAPTER II

Duty Posts and Authorised Strength

3 (1) The C.P.E.O. will include the duty posts and have the authorised strength shown in the Appendix herewith attached.

(2) The duty posts and authorised strength will be reviewed every three years.

CHAPTER III

Grades and Pay

4. The grades and pay of the duty posts in the organisation will be as follows:—

<i>Grade</i>	<i>Scale of pay</i>	<i>Class of post</i>	<i>Particulars</i>
Grade I	1000-50-1400	Class I Non-Ministerial Gazetted.	Regional Passport Officers, Madras, Bombay and Delhi.
Grade II	600-40-1000-50/2-1100-1150	Do.	(i) Regional Passport Officers, Calcutta and Lucknow. (ii) Asstt. Passport Officers.
Grade III	400-25-500-EB-30-620	Class II Non-Ministerial Gazetted.	(i) Public Relations Officers, (Passport). (ii) Public Relations Officers, (Emigration) Bombay & Madras.
Grade IV	300-20-500	Class II Ministerial Gazetted.	(i) Protectors of Emigrants, Nagapattanam, Tuticorin, Mandapam (Existing Protectors of Emigrants confirmed in the scale of Rs. 275-25-500 shall continue to draw pay in that scale). (ii) Superintendents in Passport Offices. (iii) Superintendents (Emigration) Calcutta and Lucknow.
Grade V	160-10-330	Class III Ministerial Non-Gazetted.	Assistants.
Grade VI	80-5-120-8-200-EB-10/2-220	Do.	(i) Upper Division Clerks. (ii) Stenographers.
Grade VII	60-3-81-EB-4-125-5130.	Do.	Lower Division Clerks.

CHAPTER IV

Initial Constitution of the C.P.E.O. & Appointments

5. **Recruitment at the initial constitution.**—At the initial constitution appointments shall be made only to Grade III, IV, V, VI and VII of the service. The duty posts in Grades I and II shall be filled in accordance with para 13 of these Rules.

6. **Provisional appointment.**—Any officer who on the prescribed date is borne on the establishment of either a Regional Passport Officer or an Emigration Office in India shall, on that date, be deemed to have been provisionally appointed to the C.P.E.O. on the same post, in the same capacity and on the same scale of pay as obtained on that date:

Provided that the above provision shall not confer on any officer any right, privilege or advantage which the said officer did not possess on the prescribed date.

7. Grading of officers provisionally appointed.—(1) The Reorganisation Board referred to in paragraph 9 below shall, as soon as may be, grade each officer referred to in paragraph 6 for formal appointment to one of the grades referred to in paragraph 4 other than Grades I and II. The existing incumbent of the post of Controller of Emigration shall however, be eligible for appointment to Grade II.

(2) Such grading shall be made on the basis of the conditions of eligibility laid down in paragraph 8 below.

(3) If, after such grade, there is surplus staff for whom no regular posts in the C.P.E.O. exist, such surplus staff shall be appointed to supernumerary posts to be created for the purpose. An officer appointed to a supernumerary post will continue in such post till he is absorbed in a regular post, or, being found unfit for further service, is discharged.

8. Conditions of eligibility for appointment to particular grades.—(1) Educational Qualifications:

An officer shall be eligible for appointment only if he possesses the education qualifications mentioned below in respect of the grades specified:—

- (a) *Grades III, IV and V.*—The officer should have passed the degree examination of an Indian University or hold qualifications from a foreign University recognised to be equivalent.
- (b) *Grades VI and VII.*—The officer should have passed the matriculation or higher secondary or other equivalent examination of an Indian University or hold qualifications from a foreign University recognised to be equivalent.

Provided that the educational qualifications referred to in (a) above may be relaxed by the Reorganisation Board where the Officer has the education qualifications referred to in (b) above, entered the service of the Central Government or a State Government in India in the clerical grades and has rendered continuous service for the number of years shown against each grade below:—

- | | |
|----------------------------------|-----------|
| (i) For appointment to Grade III | 18 Years. |
| (ii) For appointment to Grade IV | 13 Years. |
| (iii) For appointment to Grade V | 8 Years. |
| (iv) For appointment to Grade VI | 5 Years. |

Provided further that in respect of officers belonging to Scheduled Castes and Scheduled Tribes as defined by any notification issued by the Government of India, the qualifying periods referred to in the proviso above shall be reduced to the following:—

- | | |
|----------------------------------|-----------|
| (i) For appointment to Grade III | 15 Years. |
| (ii) For appointment to Grade IV | 10 Years. |
| (iii) For appointment to Grade V | 5 Years. |
| (iv) For appointment to Grade VI | 3 Years. |

2. Service Qualifications:—

(a) An officer shall be eligible for appointment to a grade only if he has rendered the service as shown below against the grade concerned:—

- (i) *Grade III.*—Five Years' service in a post included in Grade IV or an equivalent post or on pay exceeding the minimum of the time scale of pay of Grade IV.
- (ii) *Grade IV.*—Five Years' service in a post included in Grade V or an equivalent post or on pay exceeding the minimum of the time scale of pay of Grade V.
- (iii) *Grade V.*—Three Years' service in a post included in Grade VI or an equivalent post.
- (iv) *Grade VI.*—Five Years' service in a post included in Grade VII or an equivalent post.
- (v) *Grade VII.*—Be in service on the prescribed date in a post included in Grade VII.

- (b) The above qualifications shall not be required of an officer who has already officiated in a grade continuously for a period of two years immediately prior to the prescribed date and whom the Board considers to be otherwise fit for appointment to that grade.
- (c) The Reorganisation Board may, in exceptional circumstances, relax the above qualifications in favour of an officer whom they consider in all respects fit for appointment to that grade and who has already officiated in that grade continuously for a minimum period of one year.
- (d) For purposes of future promotion under paragraph 14, an officer to whom clauses (b) or (c) above apply shall count service in that grade only from the date on which he completes, in the next lower grade, the period of service laid down in clause (a) above.

9. Reorganisation Board.—(1) The Reorganisation Board, in respect of appointments to Grades III and IV shall consist of:—

- (i) A member of the U.P.S.C.—Chairman.
- (ii) Two Joint Secretaries to the Government of India nominated by the Ministry of External Affairs.—Members.
- (iii) A representative nominated by the Ministry of Home Affairs.—Member.
- (iv) The Chief Passport Officer to the Government of India.—Member/Secretary.

(2) In respect of the other grades the Reorganisation Board shall consist of:—

- (i) The Chief Passport Officer to the Government of India.—Chairman.
- (ii) Two Deputy Secretaries nominated by the Ministry of External Affairs.—Members.
- (iii) An Under Secretary of the Ministry of External Affairs.—Member/Secretary.

10. Approval of appointments.—The decisions of the Reorganisation Board shall take effect:—

- (i) In respect of Grades III and IV, with and subject to the concurrence of the U.P.S.C.
- (ii) In respect of Grade V, with and subject to approval of the Joint Secretary (Admn.) in the Ministry of External Affairs; and
- (iii) In respect of the other grades, with the approval of the Chief Passport Officer.

11. Fixation of Seniority at Initial Constitution.—(1) Seniority of an officer shall be fixed in the grade for which he is selected at the initial constitution.

(2) Seniority in a grade shall count:—

- (i) In respect of Grades III and IV, with effect from the date from which the officer has continuously held a post in that grade or an equivalent grade, otherwise than on a purely temporary basis as a local arrangement or has continuously drawn pay exceeding the minimum of the time scale of pay of the grade, whichever is earlier.
- (ii) In respect of the other grades, with effect from the date the officer has continuously held a post in that grade or an equivalent post otherwise than on a purely temporary basis as a local arrangement:

Provided that for purposes of fixation of seniority, posts on the scales of pay in the left-hand column below shall be considered equivalent to the corresponding posts on the scales of pay shown in the right-hand column below:—

Scales of pay	Equivalent to
(a) Rs. 275-25-500	} (a) Rs. 300-20-500 as in Grade IV of the service. (b) Rs. 160-10-330 as in Grade V of the service.
(b) (i) Rs. 150-10-220-10-300.	
(ii) Rs. 210-15-300.	
(iii) Rs. 150-10-370-15-400.	
(iv) Rs. 160-10-300-15-450.	
(v) Rs. 160-15-280-20-400.	
(vi) Rs. 200-15-305.	